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CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

BY:

[Signature]
DEPUTY

UNITED STATES OF AMERICA,
Plaintiff,
v.
Yamel TEJEDA-Linares,

Defendant.

Magistrate Case No.: **08 MJ 2747**
COMPLAINT FOR VIOLATION OF
21 U.S.C. § 952 and 960
Importation of a Controlled Substance
(Felony)

The undersigned complainant being duly sworn states:

That on or about September 7, 2008, within the Southern District of California, defendant Yamel TEJEDA-Linares, did knowingly and intentionally import approximately 158.15 kgs (347.93 pounds) of Marijuana, a Schedule I Controlled Substance, into the United States from a place outside thereof, in violation of Title 21, United States Code, Sections 952 and 960.

The complainant states that this complaint is based on the attached Statement of Facts incorporated herein by reference.

[Signature]
Carlos Delgado
Special Agent
Immigration & Customs Enforcement

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 8TH DAY OF
SEPTEMBER 2008.

[Signature]
U.S. MAGISTRATE JUDGE

DOA 09/07/08 *[Signature]*

PROBABLE CAUSE STATEMENT

I, Special Agent Carlos Delgado, declare under penalty of perjury, the following is true and correct:

On September 7, 2008, at approximately 0750 hours, Mexican citizen, Yamel TEJEDA-Linares attempted to enter the United States at the San Ysidro Port of Entry, San Diego, California. TEJEDA-Linares was the driver of a gold 2005 Ford Freestar, bearing Mexican license plate BAMX/AHZ5821.

On September 7, 2008 at approximately 0750, CBP Officer Delgado while working K-9 pre-primary at the San Ysidro Port of Entry targeted the gold 2005 Ford Freestar TEJEDA-Linares was driving. TEJEDA-Linares stated to Officer Delgado that she was going to San Diego and gave him two negative declarations. In addition, TEJEDA-Linares stated to Officer Delgado that the vehicle belonged to her mother and she had owned it for about a year. Upon visually checking the dashboard, Officer Delgado stated that he discovered packages wrapped in brown tape hidden within the dashboard of the vehicle.

On September 7, 2008 at approximately 0810 hours, CBPO Ortega while assigned to the Canine Enforcement Team responded to assist Officer Delgado with the his Narcotics and Human Detector Dog (NHDD) "Yogi" (Y-03). CBPO Ortega stated that while screening the vehicle, NHDD Yogi alerted to the passenger side dash and the glove box of the vehicle. Once Officer Ortega notified Officer Delgado of the alert, Officer Delgado handcuffed TEJEDA-Linares and escorted her to the security office and the vehicle was turned over to the lot senior for further inspection.

On September 7, 2008 at approximately 0840 hours, CBP Officer Garcia was assigned to conduct a seven-point inspection of the gold 2005 Ford Freestar BAMX/AHZ5821

TEJEDA-Linares, Yamel

driven by TEJEDA-Linares. During the seven-point inspection, Officer Garcia discovered several packages within the dashboard. Officer Garcia stated that the x-ray showed more packages hidden within the vehicle. Officer Garcia discovered additional packages hidden in the left and right rear quarter panels, and on the floor in a built-in compartment.

Officer Garcia stated that a random package selected from the dashboard was removed and field-tested with a 908/Duquenois-Levine Reagent test kit. Officer Garcia stated the sample tested positive for marijuana. Officer Garcia then proceeded and placed TEJEDA-Linares under arrest for transporting contraband into the United States.

Officer Garcia stated that she found a total of 61 packages hidden within the vehicle weighing approximately 158.15 kilograms (347.93 pounds) of marijuana.

On September 7, 2008, at approximately 1045 hours, TEJEDA-Linares was escorted to a video taping interview room. SA Carlos Delgado advised TEJEDA-Linares of her rights in the Spanish language from a pre-printed Miranda Rights form. Special Agent Ed Coderes witnessed the advisement of rights. TEJEDA-Linares waived her right to remain silent, signed a waiver of rights form, and agreed to answer questions and make a statement without the presence of an attorney to SA Delgado and SA Coderes.

TEJEDA-Linares admitted that she knew there were drugs in the vehicle and that she was to be paid \$500.00 U.S. Currency by her boyfriend, Jorge RAMIREZ-Mendoza, to smuggle the drugs from Mexico to the United States. TEJEDA-Linares stated that her boyfriend did not tell her the type of drugs that were in the vehicle but she suspected the drugs were marijuana.

TEJEDA-Linares, Yamel

TEJEDA-Linares stated that her boyfriend instructed her to drive the vehicle to the Kmart located at Plaza de Las Americas Mall in San Ysidro, California where an unknown person was going to pick it up. TEJEDA-Linares stated once she was done shopping, she was going to walk back to Mexico and call her boyfriend so he could pick her up on the Mexican side.

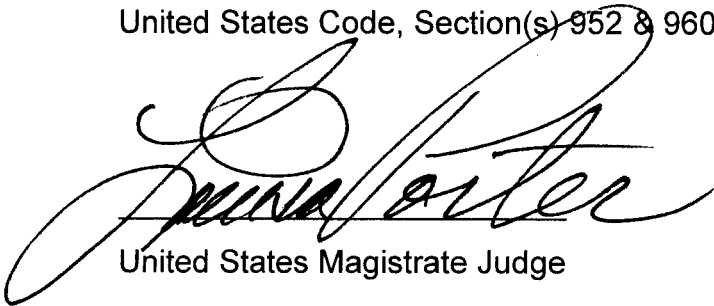
TEJEDA-Linares was arrested, processed, and transported to the Metropolitan Correctional Center pending her initial appearance before a U.S. Magistrate Judge in San Diego, California.

Executed on September 8, 2008, at 0942 hours



Carlos Delgado, Special Agent
U.S. Immigration & Customs
Enforcement

On the basis of the facts presented in the probable cause statement consisting of three pages, I find probable cause to believe that the defendant(s) named in this probable cause statement committed the offense on September 7, 2008, in violation of Title 21, United States Code, Section(s) 952 & 960.



United States Magistrate Judge

9/8/08 9:42pm
Date/Time